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Conclusions of the fourth biannual review of the implementation of the Strategic Framework for Peacebuilding in Burundi

The Peacebuilding Commission,

1. *Welcomes* the fourth biannual report on the implementation of the Strategic Framework for Peacebuilding in Burundi[1] and expresses its appreciation for the contributions of the Government of Burundi, representatives of the civil society, women's organizations, the private sector, political parties, religious groups, the Bashingantahe institution and international partners, with support from the United Nations Integrated Office in Burundi, to the preparation of that report;

2. *Welcomes* progress made in the preparation of the elections, in particular the implementation of the legal and operational framework by the National Independent Electoral Commission, including the establishment of provincial and communal election commissions, the mobilization of the Government and its national and international partners and reiterates the importance of the holding of free, fair and transparent elections for further consolidating peace in the country;

3. *Welcomes* the efforts of the Government to improve governance and fight against corruption, in particular the establishment of the Ombudsman institution and the allocation of resources for its functioning in 2010;

4. *Also welcomes* the completion of the demobilization process for ex-Front National de Libération (FNL) combatants and dissidents, and the reinsertion of its associated adults and children;

5. *Further welcomes* achievements towards disarmament of the civilian population, in particular the adoption of the law pertaining to small arms and light weapons;

[1] PBC/4/BDI/1.

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6. *Welcomes* the completion of national consultations within the country on the establishment of transitional justice mechanisms, and encourages the upcoming consultations with the diaspora scheduled in the first half of 2010;

7. *Recognizes* the challenges identified in the fourth biannual report and stresses the need for further active engagement by all actors with a view to supporting the national efforts of Burundi in addressing these challenges;

8. *Further welcomes* the continued financial and political support provided by multilateral and bilateral partners and encourages them to maintain their engagement; recognizes the continued support of peacebuilding and recovery efforts by the United Nations through the United Nations Integrated Office in Burundi;

9. *Welcomes* the streamlining of the monitoring and evaluation mechanisms with a view to harmonizing the Strategic Framework for Peacebuilding and the Poverty Reduction Strategy Paper;

10. *Reaffirms* its commitment to the implementation of the goals set out in the Strategic Framework for Peacebuilding in Burundi, in particular supporting the upcoming 2010 elections, as well as long-term efforts to consolidate democracy beyond the completion of the 2010 election cycle, to the long-term reintegration strategy for groups affected by the war, and to make economic development possible as a means of building sustainable peace;

A. Recommendation to the Government of Burundi

11. *Recommends* that the Government of Burundi:

Elections

(a) Ensure an environment conducive to the holding of free, fair and peaceful elections in 2010 and to respect for the results by all, in line with existing laws, including through:

(i) Respecting civil and political rights, in particular the freedom of opinion and the rights of political parties to hold meetings and other activities in compliance with the law;

(ii) Ensuring equal access to public media;

(iii) Ensuring impartiality of the public administration in the electoral process;

(iv) Continuing to promote conditions favourable to strengthening dialogue between all stakeholders in the electoral process;

(v) Taking all the necessary measures to ensure the security of the electoral process and promote a zero tolerance policy on the use of violence and intimidation;

(b) Encourage political parties, the media and youth groups to respect the Codes of Good Conduct that they have signed;

(c) Provide the National Independent Electoral Commission with resources required to fulfil its mandate and preserve its independence;

(d) Finalize the electoral list sufficiently early (March 2010) in order to meet the deadlines set out in the electoral calendar as published on 15 December 2009;

(e) Enable national and international electoral observers to be deployed from the start of the first electoral campaign through to the announcement of the results of the last poll;

Good governance and the fight against corruption

(f) Finalize rapidly the National Strategy for Governance and the Fight against Corruption, with a view to mobilizing resources for its implementation;

(g) Ensure integration of good governance indicators in the next Poverty Reduction Strategy Paper;

(h) Establish a realistic action plan to reinforce anti-corruption mechanisms and institutions and provide the judicial system with the necessary means to prosecute offences linked to corruption;

(i) Take further action and keep its commitment to speed up efforts to combat corruption by expediting the settlement of cases currently before the courts, including the conclusion of pending cases referred to in the third progress report,[2] by conducting transparent investigations of open cases and by supporting and strengthening governmental and non-governmental organizations in the fight against corruption, building on recent successes and lessons learned;

(j) Provide the State Audit Office with the personnel requested several years ago, and take heed of its recommendations;

(k) Expand general inspections by ministries or groups of ministries;

Ceasefire Agreement between the Government and the Front National de Libération

(l) Ensure that the remaining posts promised to the Front National de Libération (FNL) are filled;

(m) Expedite the process of placing former combatant children into formal education and employment;

Security sector

(n) Start implementing the national action plan for the reform of the defence and security system in Burundi;

(o) Continue professionalizing the defence and security forces throughout the country to provide better security; and continue increasing the transparency and accountability of the security services towards the Parliament, the population and civil society;

(p) Increase efforts to disarm the civilian population and control arms held by security and defence forces in order to strengthen security around the elections and increase the public's confidence in these forces, in particular, by concluding a second voluntary civilian disarmament campaign before the elections;

[2] PBC/3/BDI/5.

(q) Ensure the neutrality/impartiality and the professionalism of the security and defence forces during the electoral process;

Justice, promotion of human rights and action to combat impunity

(r) Implement the recommendations formulated in the third interim report of 29 July 2009, notably:

(i) Respect and protect human rights;

(ii) Establish and respect the rule of law;

(iii) Put an end to impunity;

(iv) Improve the transparency of the justice system and address the problem of the slowness of judicial procedures;

(s) Finalize the proposed law establishing the National Independent Human Rights Commission, in accordance with the Paris Principles, in order to make the Commission operational as soon as possible;

(t) Proceed urgently with the correction of the Penal Code and the promulgation of the new Penal Procedure Code;

(u) Accelerate the implementation of action plans developed to deal with the training of judges and judicial officers, with juvenile justice and with the overpopulation of the prison system;

(v) In regard to the overpopulation of the prison system and the backlog in the justice system, take other measures, particularly legislative ones, to improve the working and efficiency of the justice system and to make access to the law easier, especially in the provinces;

(w) Conclude the cycle of national consultations on the establishment of transitional justice mechanisms as soon as possible, including consultations with the Burundian diaspora, in order to proceed with the drafting of the final report, strictly respecting principles of impartiality and transparency;

(x) Resume discussions on points of contention, namely, the independence of the Court prosecutor and the relationship between the Truth and Reconciliation Commission and the Special Tribunal;

Gender dimension

(y) Continue efforts to ensure women's active participation during the elections, both as voters and as candidates;

(z) Improve the collection of statistics concerning women working in the justice system in order to define and refine policies to implement which respond to their needs;

(aa) Continue efforts to reach at least 30 per cent women's representation in all public institutions, including in the Government and the Parliament, as agreed in the Constitution;

Land issue and socio-economic reintegration

(bb) Increase efforts to ensure the effective functioning of conflict resolution mechanisms for land disputes;

(cc) Support the National Commission on Land and Other Property in the implementation of its new mandate;

(dd) Accelerate the review and adoption of the law on inheritance, regulating women's access to land;

(ee) Finalize the action plan for the national socio-economic reintegration strategy and, working closely with the Peacebuilding Commission, mobilize the necessary resources for its implementation;

Regional integration

(ff) Finalize a national strategy for regional integration based on the strengths, weaknesses, opportunities and threats of Burundi's entry into the East African Community and prepare to cope with the complexities of the integration process;

(gg) Increase efforts to improve the teaching of English, and improve the performance of business administration to respond to the demands of regional integration in an appropriate manner;

Mobilization and coordination of international assistance

(hh) Strengthen the dialogue and partnership framework between the Government and its international partners, in order for each side to be better informed about anticipated and actual aid flows and budgetary needs, and thus improve coordination of international aid;

(ii) Ensure that the next Poverty Reduction Strategy covers key peacebuilding priorities with a view to merging the two strategic frameworks in 2010;

(jj) Ensure that governmental planning, including budgeting, is transparent and that budgetary assistance is predictable and forecasts are respected, enabling the Government to achieve its objectives;

B. Recommendation to the Peacebuilding Commission and international partners

12. *Also recommends* that the Peacebuilding Commission and international partners:

Elections

(a) Increase efforts to mobilize remaining technical and financial resources needed for the 2010 elections and ensure that resources are made available as soon as possible and in the agreed terms;

(b) Ensure communication between and, where possible, coordination of national and international electoral observers;

Good governance and the fight against corruption

(c) Support the efforts of the Government of Burundi in strengthening good governance and fighting corruption;

Security sector reform

(d) Continue to provide the necessary support to the security sector with particular attention to the specific challenges related to the election process and to the ongoing professionalization of the police;

Land issues

(e) Support efforts to ensure the effective functioning of conflict resolution mechanisms for land disputes;

(f) Support the National Commission on Land and Other Property in the implementation of its new mandate;

Socio-economic reintegration

(g) Mobilize and coordinate financial and technical support to the implementation of the national socio-economic reintegration strategy;

Gender dimension

(h) Support ongoing efforts to ensure women's active participation during the elections, both as voters and as candidates;

(i) Support efforts aimed at strengthening the role of women in the Burundian society, particularly through building leadership skills and entrepreneurship;

Regional integration

(j) Strengthen national capacity to participate fully in the regional integration that includes organizations such as the East African Community and the Economic Community of the Great Lakes Countries;

Mobilization and coordination of international assistance

(k) Facilitate efforts aimed at fully harmonizing the Strategic Framework for Peacebuilding and the Poverty Reduction Strategy Paper, while ensuring the inclusion of national stakeholders;

(l) Strengthen the dialogue and partnership with the Government and ensure timely information on anticipated and actual aid flows, thus improving coordination of international aid;

(m) Ensure that budgetary assistance is predictable and that forecasts are respected, enabling the Government to achieve its objectives, in particular for the successful completion of the elections;

(n) Help the Government of Burundi to develop new partnerships and broaden the donor base by mobilizing new donors to support the country during 2010 and to continue thereafter;

(o) Help to create an environment conducive to developing economic activities and attracting national and foreign investment;

(p) Increase efforts aimed at a closer strategic partnership with the European Union, the African Development Bank and the international financial institutions as well as with the institutions of regional integration;

(q) Promote innovative practices for economic development, including South-South cooperation and support of regional integration dynamics.